



ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:)
MARK SMOLENSKI ET AL)
Ser. No.: 10/646,323)
Filed: 8/22/03)
CONNECTING SYSTEM FOR TELE-
SCOPINGLY ENGAGED ELEMENTS
AND METHOD OF MAINTAINING...
Group Art Unit: 3677
Examiner: R. Rodriguez

REQUEST FOR RECONSIDERATION

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests reconsideration of the rejection of claim 26 in the April 20, 2007
Office Action.

Claims 1-26, 29 and 30 are pending in the application. Claims 1-25, 29 and 30 are
allowed.

Claim 26 stands rejected under 35 USC §102 as allegedly anticipated by U.S.
Patent No. 3,803,532 (Taxon).

Reconsideration of the rejection of claim 26 is requested.

37 CFR 1.8
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 5/4/07 (date).

Sherry Parker
Sherry Parker

Claim 26 requires that the first and second tubular elements be positionable in first and second relative axial positions that are different. In each of the first and second relative axial positions, the first and second tubular elements are movable relative to each other around axes between: a) a first relative rotational position; and b) a second relative rotational position.

There is only one relative axial position in Taxon in which the elements 10a and 10 can be turned relative to each other around an axis. That position is shown in Fig. 2.

On the other hand, as seen in Applicant's Figs. 9-11, in the embodiment shown, there are three relative axial positions in which the first and second tubular elements can be placed and rotated to effect relative movement therebetween.

Claim 26 also requires circumferentially facing surfaces that confront each other with the first and second tubular elements in the second relative rotational position to thereby block relative movement of the first and second tubular elements from the second relative rotational position back into the first relative rotational position.

For this limitation, the Examiner refers to lines 60-67 of column 2 of Taxon which is concerned with the digging of the ends of the element 10a into the element 10. However, at this location there are no corresponding circumferentially facing surfaces as claimed, nor are there any such surfaces elsewhere in the structure.

Accordingly, claim 26 is not anticipated by Taxon.

Further, Taxon would have to be completely redesigned to arrive at the structure recited in claim 26, which would be done only with the benefit of hindsight, using Applicant's disclosure as a template.

Reconsideration of the rejection of claim 26 and allowance of the case are requested.

Respectfully submitted,

By


John S. Mortimer, Reg. No. 30,407

WOOD, PHILLIPS, KATZ,
CLARK & MORTIMER
500 W. Madison St., Suite 3800
Chicago, IL 60661
(312) 876-1800

Date: May 3, 2007